

that "No amendment shall introduce new matter into the disclosure of an application after the filing date of the application". Specifically, the claims have been amended to recite and encompass a specific combination of non-aggregation conditions under specific culturing conditions where retinoic acid is absent. ... Review of all the citations does not indicate provide literal support for the absence of retinoic acid. (Emphasis added, page 4, lines 1-11.)

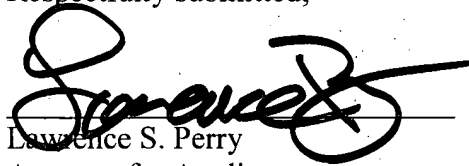
The Examiner further states "Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action". (Page 9, lines 9-10.)

This is untrue. The absence of retinoic acid limitation was presented (in claim 1) in Applicants' earlier amendment dated July 16, 2003 amendment as well as in original claim 25. If the Examiner wished to object to such limitation then he should have done so in the first Office Action, but the Rules of Practice do not permit for such a rejection to be first raised in a Final rejection now.

Accordingly, withdrawal of finality and issuance of a new, nonfinal office action is respectfully requested.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lawrence S. Perry", written over a horizontal line.

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